

Appl. No.: 10/619,313
Art Unit: 1711; Docket No.: B03-37
Reply to Office Action of September 10, 2004

REMARKS

Claims 1-17, 19, and 20 appear in this application for the Examiner's review and consideration.

Claim 3 has been amended to recite more particularly point out and distinctly claim the subject matter that Applicants regard as the invention.

Claim 18 has been cancelled without prejudice to Applicants' right to file one or more continuing applications directed to any subject matter not presently claimed.

No new matter has been added by these amendments.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 3 was rejected under 35 U.S.C. § 112, second paragraph. Applicants thank the Examiner for pointing out this anomaly and have amended claim 3 to recite that the formula describes the acid-functional prepolymer rather than the acid-functional polyol or organic amine.

The rejection under 35 U.S.C. § 112, second paragraph, is therefore believed to have been overcome. Applicants respectfully request reconsideration and withdrawal thereof.

Rejection Over U.S. Patent No. 6,207,784

Claim 18 was rejected under 35 U.S.C. § 102(a) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,207,784 to Rajagopalan.

While Applicants disagree with the Examiner's rationale for the rejection, in an effort to further prosecution of the above-captioned application, claim 18 has been cancelled rendering the rejection moot.

Nonstatutory Double Patenting Rejection

Claims 1-20 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of U.S. Patent No. 6,610,812. While Applicants note that many of the currently claimed properties are not inherent, such as thickness and specific gravity (which may be adjusted as Applicants desire), in an effort to further prosecution of the instant application, Applicants are concurrently filing a terminal disclaimer under 37 C.F.R. § 1.321(c).

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CONCLUSION

Based on the remarks set forth above, Applicants believe that all of the rejections have been overcome and the claims of the subject application are in condition for allowance. Should the Examiner have any further concerns or believe that a discussion with the Applicants' attorney would further the prosecution of this application, the Examiner is encouraged to call the attorney at the number below.

No fee is believed to be due for this submission. Should any other required fees be due, however, please charge them to Acushnet Company Deposit Account No. 502309.

Respectfully submitted,

Date: 12-3-04



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